

M I N U T E S

GARDEN GROVE NEIGHBORHOOD IMPROVEMENT AND
CONSERVATION COMMISSION (NICC)

REGULAR MEETING

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE
GARDEN GROVE, CALIFORNIA

MONDAY
MARCH 6, 2006

CALL TO ORDER: The work session of the NICC Commission was called to order at 6:15 p.m. in the Founders Room of the Community Meeting Center.

PRESENT: CHAIR SILVERBERG, VICE CHAIR BRIETIGAM,
COMMISSIONERS DIAZ, HANNA, AND J. NGUYEN
ABSENT: COMMISSIONERS D. NGUYEN AND M. CHONA PRESTON

ALSO PRESENT: Allison Mills, Project Manager; Code Enforcement Officers Patti Petruzzelli and Julie Ashleigh; Sandra Amici, Economic Development Specialist; Michael Salazar, Administrative Analyst; and Teresa Pomeroy, Recording Secretary.

CALL TO ORDER: The regular session of the NICC Commission was called to order at 7:00 p.m. in the Council Chamber of the Community Meeting Center.

PRESENT: CHAIR SILVERBERG, VICE CHAIR BRIETIGAM,
COMMISSIONERS DIAZ, HANNA, D. NGUYEN, J. NGUYEN,
ABSENT: COMMISSIONER M. CHONA PRESTON

ALSO PRESENT: Allison Mills, Project Manager; Code Enforcement Officers Patti Petruzzelli and Julie Ashleigh; Sandra Amici, Economic Development Specialist; Michael Salazar, Administrative Analyst; and Teresa Pomeroy, Recording Secretary.

PLEDGE OF ALLEGIANCE

Vice Chair George Brietigam led the Pledge of Allegiance.

APPROVAL OF MINUTES

Vice Chair Brietigam moved to approve the Minutes from September 12, 2005, seconded by Commissioner Dina Nguyen, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, D. NGUYEN, J. NGUYEN, SILVERBERG
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: PRESTON
ABSTAIN: COMMISSIONERS: DIAZ, HANNA

SELECTION OF CHAIR AND VICE CHAIR FOR 2006 TERM

Vice Chair Brietigam moved to elect Chair Silverberg as Chair, seconded by Commissioner Dina Nguyen, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, DIAZ, HANNA, D. NGUYEN, J. NGUYEN, SILVERBERG
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: PRESTON

Commissioner J. Nguyen moved to elect Vice Chair Brietigam as Vice Chair, seconded by Commissioner Diaz, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, DIAZ, HANNA, D. NGUYEN, J. NGUYEN, SILVERBERG
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: PRESTON

INTRODUCTION OF NEW NEIGHBORHOOD IMPROVEMENT STAFF

Ms. Allison Mills introduced Sandra Amici, Economic Development Specialist, to the Commission. Ms. Amici administers the home improvement loans, senior grant program, mobile home improvement grant program, and the first time homebuyer program. Ms. Amici noted that the eligibility requirement for the senior grant program is that the homeowner must be 62 years or older and be the occupant of their home. The grant is \$3,500.00 for exterior improvements only, and the recipient is only eligible every five years. To date, there are 29 completed grants, 15 in progress, and ten pending. The mobile home improvement grant had \$60,000.00 total funding available, with each eligible recipient receiving \$3,000.00 for exterior improvements. To date, there are six grants completed, and 14 in progress.

Ms. Mills introduced Mr. Michael Salazar, Administrative Analyst, who is responsible for administering the HOME and CDBG programs. Mr. Salazar noted that the HOME program currently has \$1.6 million for the purpose of creating affordable single-family residential opportunities.

PUBLIC HEARINGS

Code Enforcement Abatement for 8502 Davmor Avenue

Ms. Julie Ashleigh, Code Enforcement Officer, gave a history of the code violations and contact with the property owner for the subject property. She provided a power point presentation of photographs of the property that was a visual presentation of the code violations subject to the abatement process. She recommended to the Commission to declare the property a public nuisance as defined in Title 9 Section 9.24.180, and approve Resolution No. 01-06 that would give the property owner 21 days to comply with the City's Municipal Code that include sections 9.24.170(B) residential storage of inoperable vehicles; 9.16.270(B)(2) parking on an unpaved surface; 9.24.200(B)(5) storage of debris; 9.24.200(B)(6) overgrown vegetation; and 9.24.180(B)(9) unpainted buildings since November 2003. Staff noted that at last contact, the property owner promised to clean up the property.

Chair Silverberg opened the public hearing to receive testimony.

Mr. Roger Cruz, resident at 11382 Dale Street, approached the Commission. He stated that his home is located directly across the street from the subject property. He stated that he is selling his home, and he expressed concern about the perceived value of his home being affected by the condition of the Davmor property. He empathized with the property owner's situation as a single woman, and thought that the city should assist her with cleaning up the property.

Ms. Linda Wright, property owner, approached the Commission. She expressed her shame, and apologized for the neglect of her property. She stated that she is obtaining a personal loan to assist her with the clean up, and asked for an extension of time.

Vice Chair Brietigam asked Ms. Wright how much time she thought she would need. Ms. Wright responded that she works seven days a week.

Commissioner Dina Nguyen asked staff about who would be working on the clean up. Ms. Ashleigh stated that the City could provide dumpsters and a clean up crew; however, the property owner has to give permission.

Commissioner Hanna asked Ms. Wright whether she would give permission to the City. Ms. Wright stated yes.

Vice Chair Brietigam asked if three weeks is a fair amount of time to get a crew on site for clean up. Ms. Ashleigh stated yes.

Chair Silverberg expressed to Ms. Wright that the City is willing to help her, but that she needs to show that she is willing to work with the City, and not wait until the deadline to start the cleanup.

Commissioner Hanna asked Ms. Wright about her intentions with the inoperable vehicle. Ms. Wright indicated that it just needs a new battery and air in the tires.

Mr. Roger Cruz approached the Commission and offered to provide assistance to Ms. Wright.

Commissioner Diaz stated that he is willing to give Ms. Wright more time, but that these improvements will be costly.

There being no further comments, the public portion of the hearing was closed.

Commissioner Diaz stated that this property is a public nuisance, but that he would like to extend the time to 45 days.

Commissioner Hanna stated that she agreed that 21 days is not enough time, and she would like to see more time allowed.

Commissioner D. Nguyen commented that this property is a public nuisance with the potential to attract pests and rodents, which impacts the neighbors.

Vice Chair Brietigam agreed that this is a public nuisance; however, 21 days is not enough time, and he would be willing to allow 45 days to abate the property.

Vice Chair Brietigam moved to approve Resolution number 01-06, with an amendment to allow 45 days to abate the property, seconded by Commissioner Diaz and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, DIAZ, HANNA, D. NGUYEN, J. NGUYEN, SILVERBERG
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: PRESTON

Code Enforcement Abatement for 10651 Artcraft Avenue

Ms. Patti Petruzzelli, Code Enforcement Officer, gave a history of the code violations and contact with the property owner for the subject property. She provided a power point presentation of photographs of the property that was a visual presentation of the code violations subject to the abatement process. She recommended to the Commission to declare the property a public nuisance as defined in Title 9 Section 9.24.180, and approve Resolution No. 02-06 that would give the property owner 21 days to comply with the City's Municipal Code that include sections 9.24.170(B) residential storage of inoperable vehicles; and 9.24.200(B)(6) overgrown vegetation since September 21, 2002. Staff noted that the property has been in probate for three years, because the property owner was deceased. The deceased property owner's daughter, Ms. Colleen Hoxie, is now the property owner.

Chair Silverberg opened the public hearing to receive testimony.

Ms. Ethel Bogda, a resident of 10652 Artcraft Avenue, approached the Commission. She stated that she lives directly across the street from the subject property, and expressed her frustration that the property has not been maintained for the past seven years. She has seen a rat on the roof of the house, and she has complained many times to the City. She expressed concern that this property negatively impacts the value of her home.

Ms. Jennifer Tran, a resident of 10641 Artcraft Avenue, approached the Commission. She noted that she lives next door to the subject property. Because of the overgrown vegetation, she has had to have her plumbing repaired; the children in the neighborhood are unable to use the sidewalk; and she has seen rats in the backyard of the property. She commented that this is a very nice neighborhood, and she does not plan to sell her house. However, this situation has been going on a long time with many complaints made to the City.

Mr. Gary Stern, a resident of 10672 Artcraft Avenue, approached the Commission. He stated that the property is an eyesore, and has been for many years. There was a washer left in the backyard filled with water and attracting mosquitoes. He commented that he has nothing against the homeowner; however, this house has been left vacant and neglected, which is unacceptable.

Ms. Gigi Horowitz, a resident of 12906 Newhope Street, and Colleen Hoxie, the property owner, approached the Commission. Ms. Horowitz stated that because there was no will, and Ms. Hoxie has a mentally disabled brother, Ms. Hoxie was only recently granted the ownership for this property on March 2, 2006. She asked the Commission to allow Ms. Hoxie 30 days to get the property either sold or cleaned up. She noted that Ms. Hoxie has listed the home, and is going to obtain a small loan to get it ready to sell. However, she also has the option to sell the home as is, leaving the new homeowner responsible for the clean up.

Commissioner Diaz and Commissioner John Nguyen both expressed concern about Ms. Hoxie's ability to sell the home if the City puts a lien on the property in order to get it cleaned up. Staff explained that this abatement process allows the property owner 21 days in which to clean up the property. A lien would not take affect if the property were to be cleaned up by the property owner within the 21-day timeline.

Mr. Bob Bogda, a resident of 10652 Artcraft Avenue, approached the Commission. He expressed concern about the property being sold as is, and the length of time it may take for a new owner to get the property cleaned up.

There being no further comments, the public portion of the hearing was closed.

Commissioner Diaz commented that he empathizes with both the neighbors and the property owner; however, the property owner needs to resolve this now.

Vice Chair Brietigam noted that he did go to the neighborhood to look at the property. He commented that when his mother was in the hospital, he drove to Fresno twice a month in order to take care of her property. He stated that he is inclined to support staff's recommendation.

Commissioner Hanna stated that this is a public nuisance, that the vegetation needs to be taken care of, and that she supports staff's recommendation for 21 days.

Commissioner John Nguyen expressed empathy with the neighbors; however, he did not want to make the property owner's life harder.

Vice Chair Brietigam noted that this has been tied up in probate for four years, and Ms. Hoxie has known that she would be getting the property. He commented on the lack of effort to maintain the property.

Chair Silverberg expressed support for staff's recommendation.

Commissioner Diaz moved to approve Resolution No. 02-06, seconded by Vice Chair Brietigam, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, DIAZ, HANNA, D. NGUYEN, SILVERBERG

NOES: COMMISSIONERS: J. NGUYEN
ABSENT: COMMISSIONERS: PRESTON

ACKNOWLEDGE 2006 MEETING DATES

Staff provided the Neighborhood Improvement and Conservation Commission meeting dates for 2006 as follows: Monday, April 3, 2006; Monday, June 5, 2006; Monday, September 11, 2006; and Monday, December 4, 2006.

Commissioner Hanna moved to approve the meetings dates, seconded by Vice Chair Brietigam, and was carried with the following vote:

AYES: COMMISSIONERS: BRIETIGAM, DIAZ, HANNA, D. NGUYEN, J. NGUYEN, SILVERBERG
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: PRESTON

STAFF COMMUNICATION

None.

COMMISSION COMMUNICATION

Vice Chair Brietigam expressed how he adamantly opposed making fireworks illegal in the City. He noted that six cities in Northern California have reversed the ban on the safe and sane fireworks. He also expressed his displeasure with not being allowed to place an item on the agenda for the purpose of transmitting recommendations to City Council. Staff explained that there is a City policy against commissioners putting items on agendas for the purpose of making recommendations to City Council on issues that are not related to the commission that is being served.

Commissioner Diaz commented that the commissioners should be able to put whatever they desire on the agenda, as it is their commission.

Vice Chair Brietigam noted that in the last 30 years, there have been only three structural fires caused by fireworks in the City, but there have been 162 caused by Christmas trees. He suggested that some of the older people in the community are against the fireworks, and expressed that this is hypocritical, as the older folks have already raised their families and had their celebrations. Staff noted that there is a memo that will be sent to the commissioners that addresses the question of putting items on agendas that are not related to the purpose and function of the specific commission being served.

ADJOURNMENT: The meeting was adjourned at 9:05 p.m. to April 3, 2006.

TERESA POMEROY
Recording Secretary